

TONOPAH DAILY BONANZA

Published every evening Sunday excepted by the Tonopah Bonanza Printing Co., Incorporated

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Terms of Subscription for the Daily Bonanza
 One Month \$1.25
 Three Months \$3.50
 Six Months \$6.50
 One Year \$12.00
 Single Copies 5c

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Printed at the postoffice at Tonopah as second class matter Official Order for the County of Nye and the Town of Tonopah

MINING REVIVAL IN THE ASCENDANCY.

The mining revival throughout the West with the increasing and increasing importance in all sections of the country, Nevada taking the lead. This is evidenced from the fact that the Nevada mining industry is now showing signs of a new era of activity. The Nevada mining industry is now showing signs of a new era of activity. The Nevada mining industry is now showing signs of a new era of activity.

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OLD LANDMARK SAN ANTONIO IS DESTROYED

Associated Press

SAN ANTONIO, TEXAS, Oct. 3.—Among old landmarks which disappeared partially with the recent flood here was the "Quintal" better known as the first postoffice on Dwyer avenue in this city. It was built some 160 years ago, and ranked with the Alamo in some of the historic events in the city's past.

The structure in some way stood on the bank of the river just across the street from the courthouse. About a year ago it was condemned to be razed to make room for widening Dwyer avenue. Just before the order was carried out the flood started the removal. The foundation crumbled and the whole side of the building was a mass of ruins.

The trial in question violations framed under the prohibition act of 1919. The legislature of this state is passing a law to give and simple law communities it is almost impossible to secure a conviction, even though evidence should be furnished so that would convince one that the party accused has violated the state prohibition act. The average person does not believe in God-given rights have been usurped, and has in use of prohibition, either national or state. To those who have been denied their constitutional right to do and act as they choose, providing they do harm to no one, prohibition has become a desperate in the extreme.

While the prohibition act passed by the state of Nevada, might have been framed with good intentions by those supporting the measure, a serious mistake was made. In the trial the week before last in the district court, against a defendant was accused of violating state prohibition laws the instructions of the court were so plain that many yet are unable to ascertain now in case about that the jury failed to reach a verdict of acquittal, instead of voting 7 to 5 in favor of the defendant on the charge.

In the first place, the court instructed the jury that it is not unlawful for a person to have a still in his or her possession unless said still is used for manufacturing liquor, and even if said liquor is manufactured it must be proved beyond question to the jury that the court further instructed the jury that it is not unlawful to keep liquor in the home under the state prohibition act of 1919, but that it is unlawful to offer liquor for sale or barter in the home.

It was generally admitted that no proof had been offered by the state that any liquor had been offered for sale or barter in the home of the defendant, but it was proven that the officers making the arrest consumed a quantity of whisky, and that they even went so far as to pass the beverage around that all might sample the goods. Defendant did not deny ownership of the still that was found in his residence, he did not deny ownership of the liquor, but he did deny that he had offered any for barter or sale. He did deny having used the still for the manufacture of whisky, and even went so far as to make formal demand upon the officers for return of the still over which there had been so much excitement. Taking these points into consideration, with the burden of proof resting upon the state, it would seem that the only proper thing for the jury to do was to have brought in a verdict of not guilty.

The instructions touching upon ownership of the still and the right to keep liquor in the home were so clear cut and to the point that The Bonanza herewith reproduces them, as follows:

"You are instructed that it is not unlawful for a person to have a still in his possession under the laws of the state of Nevada, or under the laws of the United States, unless said still is used for the purpose of manufacturing liquor, and if you find from the evidence that the defendant had a still in his possession, but that the still was not being used at the time for the manufacture of liquor, then I instruct you that it is your duty to acquit the defendant."

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